



Mississippi Department of Education
Tom Burnham, Ed.D. • State Superintendent of Education

Lynn J. House, Ph.D. • Deputy State Superintendent • Office of Instructional Enhancement and Internal Operations

Office of Special Education
Ann Moore • Associate State Superintendent • 601-359-3498 • FAX: 601-359-2198

March 20, 2012

Dr. Suzanne Hawley, Superintendent
Quitman Consolidated School District (1212)
104 E. Franklin Avenue
Quitman, MS 39355

Re: Case Number 02292012-62

Dear Dr. Hawley:

We are in receipt of, with thanks, your March 19, 2012, correspondence regarding the possible implication of the statute of limitations in the above-referenced matter. We recognize your concern due to the provisions in Sec. 300.153 (c) requiring that an administrative complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received. However, the complaint filed is based on the right to review and have access to all records according to 300.613 (a) which states each participating agency must permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the agency under this part. The agency must comply with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing pursuant to Sec. 300.507 or Sec. 300.530 through 300.532, or resolution session pursuant to Sec. 300.510 and in no case more than 45 days after the request has been made.

According to the complaint, the parents first became aware on November 3, 2011, that additional educational documentation existed which they had not had the opportunity to review. The parents learned of this additional documentation of behavior issues during the testimony of their sons' teacher. The parent alleges that the documentation testified about by the teacher was not included in the children's educational records provided to them for review. Therefore, pursuant to Sec. 300.507(2) the statute of limitations does not begin to run until November 3, 2011 and the current complaint is within the appropriate statutory timeframe. The parents of the children in question have the right to review all records, and if the information was used to make educational decisions for the children, it should have been a part of the records for review.

Central High School Building • 359 North West Street • P. O. Box 771 • Jackson, MS 39205-0771

EX. "C" to Complaint

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If you have questions, please feel free to contact me at 601-359-3498.

Sincerely,



Armerita Tell, Ph.D.
Bureau Director
Office of Special Education

Enclosure

C: Lynn J. House, Ph.D.
Ann Moore
Paula Vanderford, Ph.D.
Tanya Bradley
Susan Davis
Velva Haynes
Mandy Rogers